

*STIPULATING PARTIES AND COUNSEL
LISTED ON SIGNATURE PAGES*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION

| Case No. 07-cv-5944 SC

MDL No. 1917

This Document Relates to:

Sharp Electronics Corp., et al. v. Hitachi Ltd., et al.,
Case No. 13-cv-1173 SC

**STIPULATION AND [PROPOSED]
ORDER REGARDING THE
COMPLAINT IN THE SHARP
ELECTRONICS CORPORATION
AND SHARP ELECTRONICS
MANUFACTURING COMPANY OF
AMERICA, INC.'S ACTION**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Sharp Electronics
 2 Corporation and Sharp Electronics Manufacturing Company of America, Inc. (collectively,
 3 “Plaintiffs”) and the undersigned Defendants have conferred by and through their counsel and,
 4 subject to the Court’s approval, HEREBY STIPULATE AS FOLLOWS:

5 WHEREAS, on March 15, 2013, Plaintiffs filed a Summons and Complaint in the
 6 Northern District of California, *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et al.*, Case No.
 7 13-cv-1173 (the “Sharp Summons” and the “Sharp Complaint,” respectively);

8 WHEREAS, on March 20, 2013, Plaintiffs filed an Administrative Motion
 9 Pursuant to Civil L.R. 3-12 To Consider Whether Cases Should Be Related, identifying *Sharp*
 10 *Electronics Corp., et al. v. Hitachi, Ltd., et al.* as related to *In re Cathode Ray Tube (CRT)*
 11 *Antitrust Litigation*, Case No. 07-cv-5944-SC (MDL No. 1917);

12 WHEREAS, on March 26, 2013, this Court entered an Order finding that *Sharp*
 13 *Electronics Corp., et al. v. Hitachi, Ltd., et al.* is related to *In re Cathode Ray Tube (CRT)*
 14 *Antitrust Litigation*, Case No. 07-cv-5944-SC (MDL No. 1917).

15 WHEREAS, the undersigned Defendants named in the Sharp Complaint
 16 (“Defendants”) have not yet been formally served with process;

17 IT IS HEREBY STIPULATED AND AGREED by and between counsel for the
 18 undersigned Plaintiffs and Defendants, as follows:

19 1. Each of the undersigned Defendants shall be deemed served with the
 20 Sharp Summons and Complaint as of the date of execution of this Stipulation.

21 2. The Sharp Complaint asserts similar causes of action alleged by the
 22 following Direct Action Plaintiff complaints: *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381
 23 (N.D. Cal.) (Nov. 7, 2011); *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514
 24 (N.D. Cal.) (Jan. 6, 2012); *P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-
 25 02648 (N.D. Cal.) (Nov. 14, 2011); *Schultze Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-
 26 02649 (N.D. Cal.) (Nov. 14, 2011); *CompuCom Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396
 27 (N.D. Cal.) (Nov. 14, 2011); *Interbond Corp. of Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D.

1 Cal.) (Nov. 14, 2011); *Costco Wholesale Corp. v. Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.)
 2 (Nov. 14, 2011); *Siegel v. Hitachi, Ltd.*, No. 11-cv-05502 (N.D. Cal.) (Nov. 14, 2011); *Office
 3 Depot, Inc. v. Hitachi, Ltd.*, No. 11-cv-06276 (N.D. Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v.
 4 Hitachi, Ltd.*, No. 11-cv-05513 (N.D. Cal.) (Nov. 14, 2011); *Electrograph Systems, Inc. v.
 5 Hitachi, Ltd.*, No. 11-cv-01656 (N.D. Cal.) (Mar. 10, 2011); and *Tech Data Corporation, et al. v.
 6 Hitachi, Ltd. et al.*, Case No. 8:12-cv-02795 (M.D. Fla.) (Dec. 11, 2012).

7 3. The Sharp Complaint seeks damages based on an alleged conspiracy to
 8 fix, raise, maintain, and/or stabilize prices for CRTs, as set forth in the Sharp Complaint; the
 9 Sharp Complaint does not assert any claims that Defendants have combined and conspired to fix,
 10 raise, maintain or stabilize the prices of products containing CRTs (“CRT Finished Products”).

11 4. On August 17, 2012, Defendants filed motions to dismiss and for
 12 judgment on the pleadings with respect to the following Direct Action Plaintiff complaints (the
 13 “Dispositive Motions”): *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381 (N.D. Cal.) (Nov. 7,
 14 2011); *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514 (N.D. Cal.) (Jan. 6,
 15 2012); *P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-02648 (N.D. Cal.)
 16 (Nov. 14, 2011); *Schultze Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-02649 (N.D. Cal.)
 17 (Nov. 14, 2011); *CompuCom Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396 (N.D. Cal.) (Nov.
 18 14, 2011); *Interbond Corp. of Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D. Cal.) (Nov. 14, 2011);
 19 *Costco Wholesale Corp. v. Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.) (Nov. 14, 2011); *Siegel v.
 20 Hitachi, Ltd.*, No. 11-cv-05502 (N.D. Cal.) (Nov. 14, 2011); *Office Depot, Inc. v. Hitachi, Ltd.*,
 21 No. 11-cv-06276 (N.D. Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-
 22 05513 (N.D. Cal.) (Nov. 14, 2011); and *Electrograph Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-
 23 01656 (N.D. Cal.) (Mar. 10, 2011). (Dkt. Nos. 1316, 1317, 1319).

24 5. Pending the resolution of the Dispositive Motions, the undersigned
 25 Defendants do not need to answer or otherwise respond to the Sharp Complaint. Once the
 26 Honorable Samuel Conti rules on the Dispositive Motions, the parties agree to set a reasonable
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 28

deadline for Defendants' answers and/or a reasonable briefing schedule for Defendants' motions to dismiss Sharp's Complaint.

6. The undersigned parties jointly and respectfully request that the Court enter this stipulation as an order.

Dated: April 23, 2013

TAYLOR & COMPANY LAW OFFICES, LLP

By: /s/ Craig A. Benson
Kenneth A. Gallo (*Pro Hac Vice*)
Joseph J. Simons (*Pro Hac Vice*)
Craig A. Benson (*Pro Hac Vice*)
PAUL, WEISS, RIFKIND, WHARTON
2001 K Street, NW
Washington, DC 20006
Telephone: (202) 223-7356
Facsimile: (202) 204-7356
Email: kgallo@paulweiss.com
Email: jsimons@paulweiss.com
Email: cbenson@paulweiss.com

Stephen E. Taylor (SBN 058452)
Jonathan A. Patchen (SBN 237346)
TAYLOR & COMPANY LAW OFFICES, LLP
One Ferry Building, Suite 355
San Francisco, California 94111
Telephone: (415) 788-8200
Facsimile: (415) 788-8208
Email: staylor@tcolaw.com
Email: jpatchen@tcolaw.com

Attorneys for Plaintiffs Sharp Electronics Corporation and Sharp Electronics Manufacturing Company of America, Inc.

Dated: April 23, 2013

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Kent M. Roger
Kent M. Roger (SBN 95987)
Michelle Park Chiu (SBN 248421)
MORGAN, LEWIS & BOCKIUS
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Telephone: (415) 442-1000
Facsimile: (415) 442-1001
Email: kroger@morganlewis.com
Email: mchiu@morganlewis.com

1 J. Clayton Everett, JR. (*Pro Hac Vice*)
2 Scott A. Stempel (*Pro Hac Vice*)
3 **MORGAN, LEWIS & BOCKIUS LLP**
4 1111 Pennsylvania Avenue, NW
5 Washington, DC 20004
6 Telephone: (202) 739-3000
7 Facsimile: (202) 739-3001
8 Email: jeverett@morganlewis.com
Email: sstempel@morganlewis.com

9
10 *Attorneys for Defendants Hitachi, Ltd., Hitachi Displays, Ltd.,*
11 *Hitachi America, Ltd., Hitachi Asia, Ltd., and Hitachi Electronic*
12 *Devices (USA), Inc.*

13 Dated: April 23, 2013

14 WINSTON & STRAWN LLP

15 By: /s/ Jeffrey L. Kessler
16 Jeffrey L. Kessler (*Pro Hac Vice*)
A. Paul Victor (*Pro Hac Vice*)
Eva W. Cole (*Pro Hac Vice*)
Molly M. Donovan (*Pro Hac Vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 294-4698
Facsimile: (212) 294-4700
Email: jkessler@winston.com
Email: pvictor@winston.com
Email: ewcole@winston.com
Email: mmdonovan@winston.com

17 Steven A. Reiss (*Pro Hac Vice*)
18 David L. Yohai (*Pro Hac Vice*)
Adam C. Hemlock (*Pro Hac Vice*)
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153-0119
Telephone: (212) 310-8000
Facsimile: (212) 310-8007
Email: steven.reiss@weil.com
Email: david.yohai@weil.com
Email: adam.hemlock@weil.com

23 Gregory D. Hull (SBN 57367)
24 **WEIL, GOTSHAL & MANGES LLP**
25 201 Redwood Shores Parkway
Redwood Shores, CA 94065-1175
Telephone: (650) 802-3000
Facsimile: (650) 802-3100
Email: greg.hull@weil.com

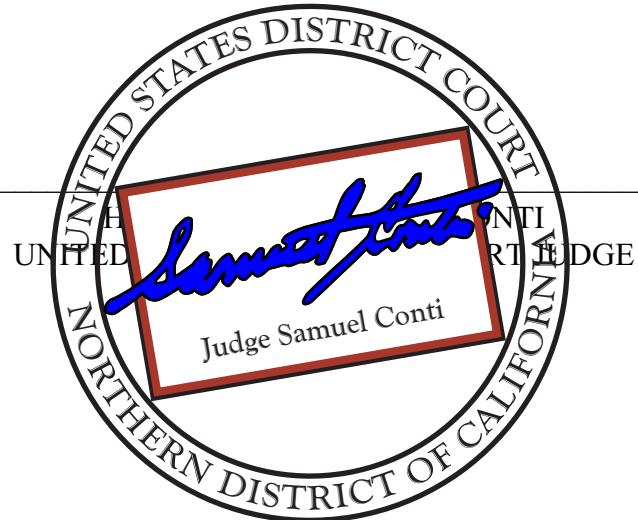
27 *Attorneys for Defendants Panasonic Corporation (f/k/a Matsushita*

1 By: /s/ Christopher M. Curran
2 Christopher M. Curran (*Pro Hac Vice*)
3 Lucius B. Lau (*Pro Hac Vice*)
4 Dana E. Foster (*Pro Hac Vice*)
5 **WHITE & CASE LLP**
6 701 Thirteenth Street, N.W.
7 Washington, DC 20005
8 Telephone: (202) 626-3600
9 Facsimile: (202) 639-9355
10 E-mail: ccurran@whitecase.com
11 E-mail: alau@whitecase.com
12 E-mail: defoster@whitecase.com

13
14
15
16 *Attorneys for Toshiba Corporation, Toshiba America, Inc., Toshiba America
17 Electronic Components, Inc., and Toshiba America Information Systems, Inc.*
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24
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PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING THEREFORE,
IT IS SO ORDERED.

DATED: 04/24/2013



E-FILER'S ATTESTATION

I, Craig A. Benson, am the ECF user whose ID and password are being used to file the
Stipulation And [Proposed] Order Regarding the Complaint in the Sharp Electronics Corporation
and Sharp Electronics Manufacturing Company of America, Inc.'s Action. In compliance with
Civil Local Rule 5-1(i)(3), I hereby attest that each listed counsel above has concurred in this
filing.

Dated: April 23, 2013

/s/ Craig A. Benson

CRAIG A. BENSON